**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE CRIMINAL JURISDICTION**

CRIMINAL APPLICATION NO.1254 OF 2006
IN
CRIMINAL APPEAL NO.1189 OF 2006

Hariram R. Yadav. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Mr. Zia Ui Mustafa, Advocate absent.
Mrs. P.H.Kantharia, A.P.P. for the State.

**CORAM: B.H.MARLAPALLE &**
**R.S. MOHITE, JJ.**
**DATED :12TH FEBRUARY, 2007**

**P.C.**

1. In filing Criminal Appeal No.1189 of 2006 against the order of conviction and sentence passed by the learned 6th Adhoc Additional Sessions Judge, Mumbai in Sessions Case No.591 of 2005 there is a delay and hence, this application for condonation of the same.

2. As per the office note, the delay caused is of 218 days. It is stated that during the trial the accused was in custody and after the order of conviction and sentence has been passed, he had no source to engage an advocate on account of his poor financial condition. We are therefore, satisfied that the delay caused in filing the appeal deserves to be condoned.

3. Hence, application is allowed in terms of prayer clause (b).

**(R.S. MOHITE, J.)** **(B.H. MARLAPALLE, J.)**

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1. Admit.

2. Call for Record & Proceeding.

**(R.S. MOHITE, J.)** **(B.H. MARLAPALLE, J.)**

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1. Application be listed for hearing after record and proceeding is received.

**(R.S. MOHITE, J.)** **(B.H. MARLAPALLE, J.)**